

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 09-CR-98 (PJS/RLE)

Plaintiff,

VS.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

JOSEPH EDWARD RILEY (01), and
JOHN THOMAS RILEY (02),

Defendants.

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. That the Defendants' Motion to Dismiss the Indictment for Pre-Indictment Delay [Docket No. 30] is denied.
 2. That the Defendants' Motion to Dismiss the Indictment pursuant to Rule 6(c), Federal Rules of Criminal Procedure, [Docket No. 37] is denied.

DATED: July 6, 2009

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge